



PTO/SB/21 (modified)

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 TRANSMITTAL FORM <i>(to be used for all correspondence during pendency of filed application)</i>		Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE 0001/PTO Rev. 10/95 U.S. Department of Commerce Patent and Trademark Office Application Number 10/054,477 Filing Date 01/18/2002 First Named Inventor Michael C. Stewart Group Art Unit Number Unassigned Examiner Name Unassigned Total Number of Pages in This Submission 5* Attorney Docket Number 80121-05730	
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TRANSMITTAL FORM

*(to be used for all correspondence during pendency of
filed application)*

REMARKS:

* Pages do not reflect references

SIGNATURE OF ATTORNEY OR AGENT

Signature:	<i>Albert C. Smith</i>		
Attorney/Reg. No.:	Albert C. Smith, Reg. No. 20,355	Dated:	3/25/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

Signature:	A. C. Smith		
Typed or Printed Name:	Albert C. Smith	Dated:	3/25/02
Express Mail Mailing Number (optional):			



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Michael C. Stewart et al.
APPLICATION NO.: 10/054,477
FILING DATE: January 18, 2002
TITLE: Vessel Harvesting Apparatus And Method
EXAMINER: Unassigned
GROUP ART UNIT: Unassigned
ATTY. DKT. NO.: 80121-05730

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: 3/25/02 By: A.C. Smith
Albert C. Smith, Reg. No.: 20,355

COMMISSIONER FOR PATENTS
WASHINGTON, DC. 20231

INFORMATION DISCLOSURE STATEMENT
Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
 - Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
 - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

- attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- after the payment of the issue fee. Applicant request that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. [APPLICATION NUMBER], filed on [FILING DATE], and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
MICHAEL C. STEWART ET AL.

Dated: 3/25/02

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FORM PTO-1449 (REV. 6-89)		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office		Attorney's Docket No. 80121-05730	Serial No. 10/054,477		
INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				Applicant Michael C. Stewart, et al.			
				Filing Date 01/18/2002	Group Art Unit Unassigned		
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
		5,944,732	8/31/99	Raulerson et al.	606	167	8/27/97
		5,873,889	2/23/99	Chin	606	190	11/19/97
		5,860,997	1/19/99	Bonutti	606	190	6/5/95
		5,827,318	10/27/98	Bonutti	606	190	5/27/97
		5,738,628	4/14/98	Sierocuk et al.	600	104	3/24/95
		5,720,763	2/24/98	Tovey	606	198	5/4/95
		5,716,325	2/10/98	Bonutti	600	204	8/1/94
		5,707,390	1/13/98	Bonutti	606	204	6/5/95
		5,702,417	12/30/97	Hermann	606	194	5/22/95
		5,685,826	11/11/97	Bonutti	600	204	11/2/94
		5,667,520	9/16/97	Bonutti	606	190	8/29/94
		5,653,726	8/5/97	Kieturakis	606	190	5/13/96
		5,607,443	3/4/97	Kieturakis et al.	606	192	6/29/94
		5,607,441	3/4/97	Sierocuk et al.	606	190	3/24/95
		5,601,589	2/11/97	Fogarty et al.	606	192	6/29/94
		5,593,418	1/4/97	Mollenauer	606	192	5/19/95
		5,540,711	7/30/96	Kieturakis et al.	606	192	3/10/95
		5,514,153	5/7/96	Bonutti	606	190	2/14/94
		5,496,345	3/5/96	Kieturakis et al.	606	192	10/17/94
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		5,441,044	8/15/95	Tovey et al.	600	234	8/16/93
		5,346,504	9/13/94	Ortiz et al.	606	192	11/19/92
		5,295,994	3/22/94	Bonutti	606	192	11/15/91
EXAMINER		DATE CONSIDERED					
EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							